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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY***

***CRIMINAL APPELLATE JURISDICTION***

***ANTICIPATORY BAIL APPLICATION NO.669 OF 2018***

|                                   |               |
|-----------------------------------|---------------|
| Bablu @ Zakirali Barkatali Pathan | ..Applicant.  |
| V/s.                              |               |
| The State of Maharashtra          | ..Respondent. |

***ANTICIPATORY BAIL APPLICATION NO.529 OF 2018***

|                               |               |
|-------------------------------|---------------|
| 1. Sajidali Barkatali Pathan, |               |
| 2. Ahmedali Barkatali Pathan  | ..Applicants. |
| V/s.                          |               |
| The State of Maharashtra      | ..Respondent. |

***ANTICIPATORY BAIL APPLICATION NO.694 OF 2018***

|                          |               |
|--------------------------|---------------|
| 1. Sohel Babaso Mulla    |               |
| 2. Mohsin Malik Bagwan   | ..Applicants. |
| V/s.                     |               |
| The State of Maharashtra | ..Respondent. |

Mr.Vijay Killedar for the applicants in all the matters.

Smt.J.S. Lohokare, APP for the respondent-State in all matters.

Mr.M.B.Nagarji, PSI, Miraj City police station. District Sangli.

***CORAM : NITIN W. SAMBRE, J.***

***DATE : JANUARY 21, 2019***

**P.C.:-**

Heard learned counsel for the applicants and learned APP for the State.

2. In crime No.30/2018 for offence punishable under sections 307, 341, 143, 147, 149, 504, 506 and 323 of the Indian Penal Code registered with Miraj city police station, District Sangli, the applicants are seeking pre-arrest bail.

3. The prayer for bail is opposed on the ground that there are criminal antecedents and custodial interrogation, as such is necessary.

4. Upon perusal of the F.I.R. and other material on record, what is noticed is, an active role is attributed to Bablu @ Zakirali Barkatali Pathan, who is the applicant in Anticipatory Bail Application No.669 of 2018. That being so, the said application is rejected.

5. Similarly, against Ahmedali Barkatali Pathan, who is applicant No.2 in Anticipatory Bail Application No.529 of 2018, there are specific attributions and active participation in the crime in question. As such, Anticipatory Bail Application No.529 of 2018 to the extent of the said applicant Ahemdali Barkatali Pathan, also

stands rejected.

6. So far as applicants Sajidali Barkatali Pathan in Anticipatory Bail Application No.529 of 2018 and applicant No.1 Sohel Babaso Mulla and No.2 Mohsin Malik Bagwan in Anticipatory Bail Application No.694 of 2018 are concerned, since there are no attributions of direct involvement in the crime and the injuries suffered by the victim are simple injury, in my opinion, it would be appropriate to confirm their ad-interim bail on the same terms and conditions. Hence the order :-

- i) Anticipatory Bail Application No.669 of 2018 of the applicant Bablu @ Zakirali Barkatli Pathan stands rejected;
- ii) Anticipatory Bail Application No.529 of 2018 of the Applicant Ahmedali Barkatali Pathan stands rejected;
- iii) Anticipatory Bail Application No.529 of 2018 of the applicant Sajidali Barkatali Pathan and Anticipatory Bail Application No.694 of 2018 of applicant No.1 Sohel Babaso Mulla and No.2 Mohsin Malik Bagwan are allowed and confirmed on the same terms terms and conditions in the ad-interim orders passed this Court on March 19, 2018 and April 10, 2018;

- iv) The applicants shall attend the Investigating officer on 24th, 29th and 31st January, 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed;
- v) The applicants shall not influence the prosecution witnesses or tamper with the evidence;
- vi) The applicants shall co-operate with the investigating agency;
- vii) All the applications stand disposed of in above terms.

***(NITIN W. SAMBRE, J.)***